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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7643/2018**

MOHAN PAL SHARMA

..... Petitioner

Through: Mr.Aman Mehrotra, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Advocate for
LAC/L&B.

Mr. Tarnmay Yadav for Ms.

Mrinalini Sen, Standing counsel for
Respondent/DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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14.05.2019

1. The prayers in the petition read as under:

“a. Issue a Writ of Mandamus or any other suitable writ order or direction in the like nature thereby directing the respondents to pay suitable compensation in respect of acquired land in forming part of bearing Khasra No.9 (09-06) 20 (06-03) 29 (06-00) and 41 (05-11) total land measuring 27 Bigha and the petitioner extent 1/12th share i.e. 02 bigha 05 Biswas land as per revenue record (the grandfather of the petitioner is Recorded owner in Revenue Record) Situated in the Revenue Estate of Village Maujpur, Shahdra, Delhi- arising out of Award No.30/73-74 & 30-A/73-74 dated 04/11/1973 . In view of the provisions of Section 24(2) of Right of Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,2013.

b. To pay al benefits/alternative plots/Industrial Plots/DDA Flats etc. as per revenue record admissible under the law in

view of the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 24th October 1961, followed by declaration under Section 6 LAA on 11th January 1967. The impugned Award Nos.30/73-74 and 30-A/73-74 (supplementary) were passed on 4th November 1973. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in a series of orders including *Mool Chandv. Union of India 2019(173) DRJ 595[DB]* followed the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* and dismissed similar petitions on the ground of laches.

4. In that view of the matter, learned counsel for the Petitioner seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MAY 14, 2019 / rd